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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

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12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 vs.

16 ROBERT CORTEZ MARSHALL,

17 Defendant.
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Case No. 2:17-cv-2189-JAD-GWF

**JOINT MOTION BY PLAINTIFF
SECURITIES AND EXCHANGE
COMMISSION AND
DEFENDANT ROBERT CORTEZ
MARSHALL TO CONTINUE
PRETRIAL DATES**

1 Plaintiff Securities and Exchange Commission (“SEC” or “Commission”) and
2 defendant Robert Cortez Marshall (“Marshall”), by and through their undersigned
3 counsel, jointly move as follows:

4 On May 7, 2018, the Court entered an order that, among other things, set
5 August 19, 2018 as the last date to file dispositive motions in this action. (Dkt. No.
6 15). That order was entered pursuant to a stipulation whereby Marshall requested an
7 extension of the pretrial deadlines to allow him adequate time to conduct discovery.
8 (Dkt. No. 14).

9 The parties have now reached a tentative settlement with regard to the SEC’s
10 claims against Marshall that would result in the entry of a bifurcated judgment
11 against Marshall. The settlement is tentative because it is dependent upon the
12 Commission authorizing the specific amount of civil penalty that it would seek from
13 Marshall, and only the SEC Commissioners in Washington D.C. can make that
14 authorization. The authorization process typically takes several weeks, and the SEC
15 staff has already begun attempting diligently to obtain authorization regarding the
16 civil penalty amount. The SEC staff expects that the SEC Commissioners will
17 authorize the civil penalty amount within 30 days of the date of this joint motion.

18 In light of the tentative settlement between the SEC and Marshall, the parties
19 respectfully request that final date to file dispositive motions be continued for 30
20 days, until September 18, 2018, to provide time for the SEC Commissioners to
21 authorize the civil penalty amount. The SEC staff will notify the Court immediately
22 if it appears that authorization of the penalty amount will not take place within 30
23 days of this motion.

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1 DATED: August 9, 2018

/s/ David J. Van Havermaat
David J. Van Havermaat
Attorney for Plaintiff
Securities and Exchange Commission

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4 DATED: August 9, 2018

/s/ H. Stan Johnson
H. Stan Johnson
Attorney for Defendant
Robert Cortez Marshall

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10 **IT IS SO ORDERED.**

11 Dated: _8/13/2018

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HON. GEORGE FOLEY, JR.
UNITED STATES MAGISTRATE JUDGE
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